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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/639,825	08/17/2000	Michael Chen	AVI007	4926

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NORTH AMERICA INTERNATIONAL PATENT OFFICE (NAIPC)
P.O. BOX 506
MERRIFIELD, VA 22116

EXAMINER	
GIBBS, HEATHER D	
ART UNIT	**PAPER NUMBER**
2622	

DATE MAILED: 02/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/639,825	CHEN, MICHAEL	
	Examiner	Art Unit	
	Heather D Gibbs	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 September 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6,7 and 9-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6,7 and 9-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 August 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 09/17/2004, regarding claims 1,4 have been fully considered but they are not persuasive. Applicant argues Claim 1 distinguishes from Hayakawa by requiring that the data transfer be performed without the need of a host for controlling image data transmission. The examiner points the applicant's attention to Col 4 Lines 8-22 where Hayakawa teaches of the image scanner being a master device in that it controls the operation of the external storage device. This data is being transferred without the need of a host. Hayakawa also discloses wherein the portable storage device can be either a personal computer of a word processor or the connector portion 4 enables the image scanner to be used as a memory card. See Col 3 Lines 5-10.

2. Applicant's arguments with respect to claims 2-3,6-7 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-4,6-7,9-10,13-14,17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayakawa in view of Yamamoto (US 6.061,15).

Hayakawa discloses a scanner comprising: a casing 1a; a scanning module installed inside the casing for scanning a document and generating corresponding image data (Col 4 Lines 19-60); a control unit 52 installed in the casing 1a, the control unit 52 comprising at least a memory for storing a control program and the image data generated from the scanning module, and a processor 52 for executing the control program to control the operations of the scanner (Col 2 Lines 64-67 and Col 3 Lines 1-12); and an output port installed on the casing and electrically connected to the control unit for connecting a portable storage device disposed outside the casing of the scanner (Fig 11-connection with host computer), wherein the scanner acts as a master device and treats the portable storage device as a slave device (Col 4 Lines 8-22); wherein when the scanning module finished scanning a document, the control unit converts the image data of the document according to the type of storage device that is connected to the output port and then transmits the image data converted by the control unit to the storage device (Col 3 Lines 43-55 and Fig 4).

Hayakawa does not disclose expressly, the portable storage device not being a computer.

Yamamoto discloses, the portable storage device 3 not being a computer (Fig 1).

Hayakawa & Yamamoto are combinable because they are from the same field of scanners.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Yamamoto with Hayakawa.

The suggestion/motivation for doing so would have been to have a storage device that is standalone.

Therefore, it would have been obvious to combine Hayakawa with Yamamoto to obtain the invention as specified in claim 1.

Considering claim 2, Yamamoto teaches wherein the output port is connected to a printer, and when the scanning module finishes scanning a document, the control unit prints out the image data of the document via the printer (Fig 1; Col 3 Lines 41-60).

Considering claim 3, Yamamoto discloses wherein the control program first identifies the type of storage device connected to the output port, and then controls the transmission of the image data of the document according to the said type (Col 11 Lines 29-41; Fig 1).

Regarding claim 3, Hayakawa teaches of a scanner as discussed above wherein the control program first identifies the type of storage device connected to the output port, and then controls the transmission of the image data of the document according to the said type (Col 3 Lines 43-55).

Regarding claim 4, Hayakawa teaches wherein the scanner further comprises a connecting port installed on the casing and electrically connected to the control unit for connecting to a computer, and when the scanning module finished scanning the document, the control unit transmits the image data of the document to the computer for further processing via the connecting port (Col 3 Lines 43-55 and Fig 4).

Regarding claim 6, which is representative of claim 17, Hayakawa teaches of a scanner comprising: a casing 1a; a scanning module installed inside the casing for scanning a document and generating corresponding image data (Col 4 Lines 19-60); a control unit 52 installed in the casing 1a, the control unit 52 comprising at least a memory for storing a control program and the image data generated from the scanning module, and a processor 52 for executing the control program to control the operations of the scanner (Col 2 Lines

64-67 and Col 3 Lines 1-12); an output port installed on the casing and electrically connected to the control unit for connecting to an external portable storage device, wherein the scanner acts as a master device and treats the external portable storage device as a slave device (Fig 11-connection with host computer; Col 4 Lines 8-22); wherein when the scanning module finishes scanning a document, the control unit converts the image data of the document and then directly transmits the image data converted by the control unit to the storage device via the output port without the need of a host to control image data transmission, or converts the image data of the document and then transmits the image data converted by the control unit to the printer via the printer port for printing(Col 3 Lines 43-55 and Fig 4).

Hayakawa does not specifically teach, the external portable storage device not being a computer nor a printer port electrically connected to the control unit for connecting to an external printer and converting the image data of the document and then transmitting the image data converted by the control unit to the printer via the printer port for printing.

Yamamoto discloses the portable storage device 3 not being a computer (Fig 1) and Yamamoto teaches wherein the output port is connected to a printer, and when the scanning module finishes scanning a document, the control unit prints out the image data of the document via the printer (Fig 1; Col 3 Lines 41-60).

Regarding claim 7, Hayakawa teaches wherein the scanner further comprises a connecting port installed on the casing and electrically connected to the control unit for connecting to a computer, and when the scanning module finishes scanning the document, the control unit transmits the image data of the document to the computer for further processing via the connecting port (Col 3 Lines 43-55 and Fig 4).

Considering claim 9, which is representative of claims 13, 18, Yamamoto teaches wherein the portable storage device is a standalone disk drive (Fig 1).

Considering claim 10, which is representative of claims 14,19, Yamamoto teaches wherein the portable storage device is a hard disk drive (Fig 1).

5. Claims 11-12,15-16,20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayakawa et al and Yamamoto in view of Puzio (US 6,332,663).

Hayakawa and Yamamoto disclose a scanner as discussed above.

Hayakawa and Yamamoto do not disclose expressly wherein the portable storage device is a floppy disk drive or a writable optical disk drive.

Puzio discloses wherein the portable storage device is a floppy disk drive or a writable optical disk drive (Col 2 Lines 52-67).

Hayakawa, Yamamoto & Puzio are combinable because they are from the same field of scanners.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Puzio with Hayakawa and Yamamoto.

The suggestion/motivation for doing so would have been to diversify the standalone disk drive.

Therefore, it would have been obvious to combine Puzio with Hayakawa and Yamamoto to obtain the invention as specified in claims 11-12,15-16,20-21.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather D Gibbs whose telephone number is 703-306-4152. The examiner can normally be reached on M-F 8AM-4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 703-305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Heather D Gibbs
Examiner
Art Unit 2622

hdg

EDWARD COLES
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER